IN THE HIGH COURT OF BOMBAY AT GOA
SECOND APPEAL NO.159 OF 2005
AND
CIVIL APPLICATION NO.329 OF 2005
IN
SECOND APPEAL NO.159 OF 2005

Sarla Paes .... Appellant
Vs.
Sarat Paes & Ors. .... Respondents

Sarvasri M.B. D'Costa, Senior Advocate,
with J.A. Lobo for the Appellant.
Shri Sudin Usgaonkar for the Respondent No.1.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: FEBRUARY 24, 2006

P.C:

Learned counsel appearing for the appellant states that in view of the fact that Second Appeal is not maintainable considering the valuation of the suit in question and, more particularly, in view of Section 102 of the Code of Civil Procedure, 1973, the appellant craves leave to withdraw the appeal and the civil application with liberty to file a writ petition. The appeal and the civil application are accordingly allowed to be withdrawn and stand disposed of accordingly.

Needless to say that the appellant would be entitled for refund of the Court fee in accordance with the provisions of law.

(R.M.S.Khandeparkar,J.)